

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for non-prisoners to file a civil complaint. NEATLY print in ink (or type) your answers.]

John Allen

[You are the **PLAINTIFF**, print your full name on this line.]

v.

Aleksandra Dimitrijevic et al.

[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

MAR 11 2022

At GARY T. BELL, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Case Number 2:22 CV 58

[For a new case in this court, leave blank.
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption.
Once you know your case number, it is VERY IMPORTANT that you include it on everything you send
to the court for this case. DO NOT send more than one copy of anything to the court.]

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.] Aleksandra Dimitrijevic Lake County Indiana Small Claims Judge	232 Russell Street Superior Court Division Room 4 Hammond, IN 46320
2	[Put the names of any other defendants in these boxes.] Oscar Martinez Jr. Lake County Indiana Sheriff	2293 N. Main Street Crown Point IN 46307-1854
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the
name, job title, and address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? Two

2. What is your address? 3544 Van Buren Gary IN 46408

3. What is your telephone number: (219) 716-0700

4. Have you ever sued anyone for these exact same claims?

No.

Yes, attached is a copy of the final judgment OR an additional sheet listing the court,
case number, file date, judgment date, and result of the previous case(s).

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how these events happened.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [*The first paragraph has been numbered for you.*]

1. The Plaintiff, John Allen (hereinafter Allen) is the owner of a property located at 624 Broadway Gary IN. He is also the owner of a business there called Nations in that location. Allen became a litigant in Lake County Superior Court over the ownership and the taking of the property. That case in Lake County Superior Court case 45D05-1910-CT-001085.

The Defendant, Judge Aleksandra Dimitrijevic is not the Judge in that case case . Dimitrijevic is a Lake County Indiana small claims judge.

2. Allen petitioned the Lake County Indiana small claims Court to prevent what he pecieved to be a proposed threat of a self-help evction from his property 624 Broadway by the Gary Housing Authority. The Gary Housing Authority had performed an "administrtative" taking of Allen's property without actual notice to him and notified his then Counsel Tracy Coleman that they wanted the keys surrendered with days. The housing authority filed counter-claim.

3. This worngful eviction pettiton was assigned to Defendant Dimitrijevic. During that time Dimitrijevic was told in live hearings and in pleadings by Allen and later his counsel:

a). Allen wanted to withdraw his pleading; b). the court did not have jurisdiction c). the issue of ownership was pending in active litigation in a superior court and the dispute involed not only ownership, but value more than the \$10,000 jurisdictional limits of Aleksandra's court.

4. The Defendant Dimitrijevic was also told in open court that: a). the Housing Authority never was a landlord of the property and b). the Housing auhtoity wanted Allen out to demolish the property.

Claims and Facts (continued)

5. Aleksandra issued order as to finding of ownership; instruction to vacate and order for the Defendant Lake County Sheriff Oscar Martinez Jr. to forcefully remove Allen from his property. This was done, the property was demolished and this took place while there was a Executive ORDER 20-06 banning evictions in the month of March 2020 when the Lake County Sheriff forcefully removed Allen from his property. Despite this being known to Dimitrijevic and Defendant Martinez. additional pages attached.

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

No.
 Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do? Find that the Actions of the Defendants knowingly violated Allen's Due process Rights, Property Rights by seizing and destroying Allen's property while the plain and clear meaning of all applicable law and facts and circumstances prevented them from doing so. Allen ask ~~the~~ to allow him to recover cost and loss as a result of the said and punitive monetary award to deter such conduct.

FILING FEE – Are you paying the filing fee?

Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. [If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]
 No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

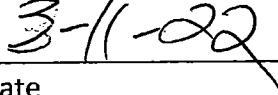
[Initial Each Statement]

~~I~~ A I will keep a copy of this complaint for my records.

~~I~~ A I will promptly notify the court of any change of address.

~~I~~ A I declare under penalty of perjury that the statements in this complaint are true.


Signature


Date

6. In support of the statements made herein I have attached Plaintiff's exhibit 1. Copy of the March 23, 2021, Memorandum and Decision from the Indiana Court of Appeals. This is proffered to prove the Defendants were acting contrary clearly established law. Not a mere debatable good faith error. Notably, this Court of Appeals decision also refers to the "pending civil case" the Defendant Aleksandra personally asked about and was put on notice in live hearing.

7. It is the allegation of Allen that Defendant(s) abused process and did so in bad faith while acting under the color of law in their respective positions. The Plaintiff has suffered serious loss of contractual relationships and money from the acts of the Defendants. Again, the Plaintiff note that even in the *proper state venue under* the appropriate Superior Court case cited herein at paragraph 1, there has been a finding that Allen's rights in the taking were in fact violated. Case number 21-A-CT-653 Indiana Court of Appeals. The Defendant's point here is this is not a litigant simply unhappy with a Court ruling. These state- actor-Defendants had no authority at all to act as claimed. Worse, even if a reasonable person would have assumed Aleksandra and Martinez, despite being apprised of law contrary, could take some actions adverse to resulted in dual jurisdiction in a situation in which there were known to actually be no jurisdiction.

8. In closing, it is no secret that Lake County Indiana Government has a chronic problem and history in of abuse of power and some corruption. The Defendants Aleksandra instance upon taking up of subject matter jurisdiction in this case was motivated by the same. Also attached is March 12, 2020 Order from Defendant Aleksandra Plaintiff's Exhibit 2 and order making illegal findings of ownership attached as Plaintiff's Exhibit 3.



John Allen, Plaintiff

COPIES SENT VIA US MAIL TO Defendant: Aleksandra Dimititrijevic